REMARKS

Applicant has carefully reviewed the Office Action mailed August 18, 1997. Responsive to the Section 112 rejections in paragraph 1 addressing the Section 112 issues brought up by the Examiner with regard to claims 4, 7 (addressed by amending claim 6), 12, 13, 18 (addressed by amending claim 17), and 23. Accordingly, all the Section 112 rejections in paragraph 1 of the Office Action have been addressed.

Claims 3, 5, 6, and 11 have been objected to, and claims 4, 7–10, 14–22, and 25–27 have been indicated to be allowable once the Section 112 issues have been addressed and the objections removed by rewriting claims in independent form. Accordingly, to address paragraphs 7 and 8 of the Office Action, claim 3 has been replaced by claim 28, with claim 4 depending on claim 28 in order to put claims 4 and 28 in allowable condition. Claim 5 has been replaced by claim 29 and claim 6 now depends on claim 29, putting claims 6–11 and 29 in allowable condition. Claim 14 has been replaced by claim 30, with claim 15 now depending on claim 30. Accordingly, claims 15–22 and 30 are now in allowable condition. Claim 25 has been replaced with claim 31, and claim 26 now depends on claim 31. Accordingly, claims 26 and 31 are now in allowable condition. Claim 27 has been rewritten in independent form as claim 32 and it now is in allowable condition.

This leaves only the obviousness type double-patenting rejection in paragraphs 4 and 5 of the Office Action, which is overcome by the attached terminal disclaimer and the requisite fee.

There remains the anticipation rejection of claims 1, 2, 12, 13, 23, and 24 under Section 102(a) or (e) in view of *Baugh* '390. In paragraph 3, the Examiner takes the position that in the *Baugh* '390 reference, item 42 which is the pin is considered to be the driver and items 54, 62, 64, 66, 70, 72, etc., are considered to

be the transmission. The rejection of claims 1, 2, 12, 13, 23, and 24 is respectfully traversed. In order to appreciate the differences between these claims and *Baugh* '390, a brief review of the operation of *Baugh* '390 is helpful, particularly in view of Figure 3. Figure 3 of *Baugh* '390 illustrates that a hydraulic piston assembly holds a spring 96 in an extended position because the piston 84 cannot move until a valve 104 is operated. When the appropriate signal is given and processed by the receiver 114, the valve 104 opens, allowing flow in lines 100 and 106, which allows the piston 84 to assume the position shown in Figure 4. This occurs because the spring 96 pulls up on tab 66 when flow can occur in lines 100 and 106. The result of this motion is a rotation of rack 64 shown in Figure 7, which in turn, because it is meshed to gear 54 (as shown in Figure 8), allows the pin 42 to rotate.

Pin 42 is not a driver in the *Baugh* '390 reference. The driver in *Baugh* '390 is what causes the movement, *i.e.*, the spring 96. Between spring 96 and pin 42 of *Baugh* '390 is an assembly that could be called the transmission. Pin 42 is better classified as part of the primary control element.

Claim 1 recites a motor which creates a rotational output, a transmission which receives the rotational output from the motor, and transmits a rotational movement to the primary control element which, in turn, selectively moves the final control element. A spring 96, as used in the *Baugh* '390 reference, cannot be characterized as a motor with a rotational output. Similarly, the *Baugh* '390 reference does not disclose the use of rotational output from a motor to turn a transmission to, in turn, turn the primary control element. In reality, *Baugh* does not really use a transmission; rather, it takes the potential energy provided by a spring 96 and through a linkage, creates rotational movement of the rack. That structure does not anticipate, and arguably doesn't even render obvious, the structure of claim

1 which recites a motor driver producing a rotational output engaged to a transmission, which further creates a rotational output so as to retain or release the plug.

As to claim 2, the *Baugh* '390 reference cannot meet the requirement that the motor is powered by a power source mounted in the body, which also powers the control system. *Baugh* '390 illustrates a battery 116 to power the control system; however, the power to rotate the pin 42 comes from spring 96, not from battery 116. Accordingly, claim 2 is allowable over *Baugh* '390. For the reasons given with regard to claims 1 and 2, claims 12 and 13 are also allowable.

Claim 23 has been further amended to recite a power supply in the apparatus, as well as a powered motor which takes power from the power supply and turns the transmission, ultimately causing release of the sleeve. *Baugh* '390 does not reveal a powered motor operating off of a power supply in the apparatus providing a rotary motion to a transmission, which in turn rotates to release the sleeve. Accordingly, claims 23 and 24 are not anticipated and arguably not rendered obvious by *Baugh* '390. Allowance of the entire case is respectfully requested.

Formal drawings are submitted herewith which should address the informality in the earlier-filed drawings.

10/17/97
Date

Respectfully submitted,

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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this paper, along with any referred to as being attached or enclosed, is being forwarded to the Assistant Commissioner of Patents, Washington, DC 20231, via the United States Postal Service, first class mail, postage prepaid, on this the 17 day of October, 1997.

STEVE ROSENBLATT

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